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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 In the Matter of Subpoena to
9 RYLANDER & ASSOCIATES P.C.,

10 Nonparty Deponent

11 MILLER MENDEL, INC, et al.,

12 Plaintiffs,

13 v.

14 CITY OF OKLAHOMA CITY,

15 Defendant.

CASE NO. CV19-5031 BHS

ORDER TRANSFERRING
MATTER

16 This matter comes before the Court on Plaintiff Miller Mendel, Inc. and Tyler
17 Miller (“Plaintiffs”) and Plaintiffs’ attorneys, Rylander & Associates, P.C.’s (“Rylander”)
18 (collectively “Movants”) motion to quash, Dkt. 5, the Court’s request for a joint status
19 report, Dkt. 13, and the parties’ report, Dkt. 14.

20 On August 7, 2019, Movants filed the instant motion to quash a subpoena served
21 by Defendant the City of Oklahoma (“City”). *Id.* The City obtained the subpoena from
22 the United States District Court for the Western District of Oklahoma in the case of

1 | *Miller Mendel, Inc. v. the City of Oklahoma*, C18-990. Dkt. 6-1 at 2. The City served the
2 | subpoena on August 5, 2019, requesting the production of documents on August 9, 2019.
3 | *Id.* Movants argue that the Court should quash the subpoena because it violates the
4 | thirty-day period for responding to a subpoena. Dkt. 5. On August 19, 2019, the City
5 | responded and agreed to allow Rylander thirty days to respond to the subpoena. Dkt. 10
6 | at 2. On August 23, 2019, Movants replied. Dkt. 12.

7 On September 11, 2019, the Court requested the parties' positions regarding
8 | whether the Court should transfer this motion to the Oklahoma court pursuant to Fed. R.
9 | Civ. P. 45(f). Rule 45 allows transfer to the issued court for exceptional circumstance,
10 | which the Court finds exists because the City served the subpoena on counsel that has
11 | appeared in that case. In their status report, the parties agree that the Court should transfer
12 | the matter to Oklahoma. Therefore, the Clerk shall transfer this matter to the Western
13 | District of Oklahoma.

14 **IT IS SO ORDERED.**

15 Dated this 30th day of September, 2019.

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18 BENJAMIN H. SETTLE
19 United States District Judge
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